

KENTUCKY BOARD OF DENTISTRY

LAW ENFORCEMENT COMMITTEE MEETING

December 12, 2008

CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 3:30 p.m.

LAW ENFORCEMENT COMMITTEE MEETING

January 9, 2009

CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:10 a.m. A motion was made by Dr. Allen to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Allen to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Allen seconded the motion. The committee meeting adjourned at 3:00 p.m.

BOARD MEETING

January 10, 2009

CALL TO ORDER

President William Boggess, D.M.D. called the meeting to order at 9:06 a.m. There was a determination of a quorum.

ROLL CALL

Present Board members were David Narramore, D.M.D.; Jim Allen, D.M.D.; William Boggess, D.M.D.; Hank Sleet, D.M.D., M.D., Julie Gaskill, D.D.S., Dianne Embry, R.D.H.; Susan M. King, D.M.D., and Greg Vance, D.M.D. Allan Francis was not in attendance.

Staff present were Brian K. Bishop, Executive Director; Mark Brengelman, Board Counsel; Lisa A. Turner, Executive Staff Advisor and Brian Fingerson, R.Ph, Well Being Committee.

VISITORS

Mike Porter, Kentucky Dental Association

Dr. Fonda Robinson, University of Kentucky School of Dentistry

Jennifer Bach, Pharmacy Intern

Lori Wilson, R.D.H., President-Elect for the Kentucky Dental Hygienist's Association

APPROVAL OF MINUTES

Dianne Embry motioned that the Minutes of the November 8, 2008 Board Meeting be accepted. Dr. Sleet seconded the motion. All were in favor.

DIRECTOR'S REPORT

Mr. Bishop presented the year-to-date budget report in fiscal year 2009 and discussed statewide budget cuts. In preparation to comply with the Governor's request for all agencies to cut 4% of the 2009 budget, the suggestion was made to significantly reduce Board Member out-of-state travel.

Dr. Gaskill made a motion in an effort to address the request for a cut to this years' budget, for the Board to pay for the registrations and hotel rooms for Dianne Embry, R.D.H. and Jim Allen, D.M.D. for the Southern Deans Conference. Dr. Vance seconded the motion. All were in favor.

Dr. Narramore made a motion that in the same effort, that the Board pay for Dianne Embry, R.D.H. to attend the A.A.D.E. annual meeting in Chicago. Dr. Sleet seconded the motion. All were in favor.

The Board reviewed the letter received from Northern Kentucky Independent District Health Department regarding the status of the sealant program.

The Board instructed Mr. Bishop to respond to an email from Dr. John Gray stating that a license to practice General Dentistry must be issued first or simultaneous to the granting of a specialty license in Kentucky; specialty exams are generally conducted in the Spring. A specialty license cannot be issued until the requirements are met for a general license to practice dentistry application and the requirements for the specialty license application have both been met.

Mr. Bishop explained the status of the hygienist license renewals; Notices of Suspension for Nonrenewals and lack of anesthesia certifications for hygienists as reflected on their renewal forms and the suggestions offered by the LEC.

Dr. Narramore made a motion to grant C.E. credit for the two 2009 RAM sessions in Kentucky. Dr. Vance seconded the motion. All were in favor.

COMMITTEE REPORTS

Credentials Committee

Dianne Embry motioned that a dental hygiene license by credentials be issued to Mary McKeown and Sally Leicht. Dr. Narramore seconded the motion. All were in favor.

Dianne Embry motioned that a general dentistry license by credentials be issued to Dr. Tim Carter. Dr. Gaskill seconded the motion. All were in favor.

Dianne Embry motioned that a general dentistry license by credentials be denied until such time as Dr. Elliott Schlang can provide a definite and specific practice plan for his Kentucky mobile dental practice. Dr. Gaskill seconded the motion. All were in favor.

Dr. Narramore motioned that Dianne Embry serve on behalf of the KBD on the Hygienist Examination Committee for SRTA ; that Dr. Allen serve on behalf of the KBD on the SRTA Board; and that Dr. Vance serve on behalf of the KBD on the Dental Examination Committee for SRTA. Dr. Gaskill seconded the motion. All were in favor. Dr. Narramore abstained from voting.

Law Enforcement Committee

Dianne Embry motioned that the closed case report be accepted. Dr. Gaskill seconded the motion. All were in favor.

A request for a Hearing Officer for the January 22, 2009 Show Cause Hearing date yielded no offers. A request will be made to OAG for a Hearing Officer to appear that day.

07-29 and 07-84 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

07-149 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

06-33 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

07-123 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

07-125 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

07-134 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

08-35 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

08-73 Dr. Allen moved to accept the Settlement Agreement. Dr. Gaskill seconded the motion. All were in favor.

08-107 a Dr. Allen moved for an issuance of a Private Admonishment. Dianne Embry seconded the motion. All were in favor.

08-107 b Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

08-141 a (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19)
Dr. Allen moved file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

08-141 b (1 – 19) et al.

Dr. Vance moved to write a Letter of Concern. Dr. Gaskill seconded the motion. All were in favor.

08-100 a Dr. Allen moved to file a Notice of Administrative Hearing and Order. Dianne Embry seconded the motion. All were in favor.

Brian Fingerson provided an update on his cases for which the Board received a Report.

Dr. Allen made motion to go into closed session to discuss the adjudication of an individual license. Dr. Vance seconded the motion. All were in favor. Dr. Boggess, Dr. Allen, Brian Bishop, Mark Brengelman and Lisa Turner left the room. All visitors in attendance left the meeting.

Dr. Vance made motion to come out of closed session. Dr. Gaskill seconded the motion. All were in favor. No Action was taken while in closed session.

Dianne Embry made a motion that the Recommended Order for Dr. Maurice Crowley be amended to grant category B credit for 9 hours for the ACLS course he attended and the fine adjusted accordingly. Dr. Gaskill seconded the motion. All were in favor.

NEW BUSINESS

Mike Porter addressed the Board regarding proposed legislation at the next General Assembly session from the KDHA to expand access to hygiene services which he believed could be construed as independent dental hygiene practice.

The Commission on Dental Accreditation's request for Board Members to participate in the 2009 UKCD Accreditation Site Visit was discussed. Dr. Narramore and Dr. King will have their names submitted for that purpose.

In response to a letter the Board received from Novalar Pharmaceuticals, Inc., the Board asked the Anesthesia Committee to make a determination whether OraVerse is "block and infiltration anesthesia" for purposes of interpreting its use with respect to KRS 313.341. The Anesthesia Committee agreed to report at the March Board Meeting with its recommendation.

The Board discussed the letter from Dr. Larry Cunningham outlining a proposed change by the Kentucky Medical Association to the definition of surgery not to include lasers. The Board decided the letter required no action.

Dr. Allen made motion to go into closed session to discuss the hiring or firing of an employee. Dr. Narramore seconded the motion. All were in favor. Brian Bishop and Lisa Turner left the room.

Dr. Narramore made a motion to come out of closed session. Dr. Gaskill seconded the motion. All were in favor. No action was taken in closed session.

Dr. Boggess made a motion that a Board Committee comprised of the volunteers, to include Dianne Embry, Dr. Susan King and Dr. David Narramore, be created to write a job description and directive for the Executive Director of the Kentucky Board of Dentistry. Dr. Narramore seconded the motion. All were in favor.

Dr. Gaskill moved that the Board hereby resolve the Board opposes the passage of a denturity bill, should it be proposed in the General Assembly. Dr. Narramore seconded the motion. The motion passed by a majority.

Dr. Narramore made a motion that the Board hereby resolve the Board opposes the passage of a bill to change the Board representation by increasing the number of hygienists, should it be proposed in the General Assembly. Dr. Gaskill seconded the motion. The motion passed by a majority.

Dr. Gaskill made a motion that the Board hereby resolve the Board opposes the passage of a change to the current law for general supervision by hygienists, should a bill be proposed in the General Assembly. Dr. Narramore seconded the motion. The motion passed by a majority.

There being no further business, Dr. Vance motioned that the meeting be adjourned. Dr. Narramore seconded the motion. All were in favor. The meeting was adjourned at 1:40 p.m.

APPROVED:

William Boggess, D.M.D.
President

Dianne Embry, R.D.H.
Vice President